**PATENT** IN THE UNITED STATES PATENT AND TRADEMARK OFFICE the application of Burbank et al. Examiner of Parent Application: M. Hindenburg For: **BREAST BIOPSY SYSTEM** AND METHODS Group Art Unit: 3736 Serial No.: 09/9/19.371 Filed: August 13, 2001 Atty. Docket No.: R0367-00101 CERTIFICATE OF MAILING FURSUANT TO 37 CFR 1.8 Mail Stop Non-Fee Amendment RECEIVED Commissioner for Patents P.O. Box 1450 SEP 1 7 2003 Alexandria, VA 22313-1450 TECHNOLOGY CENTER R3700 Dear Sir: 1. Transmitted herewith for filing in the above-identified patent application is a Second Preliminary Amendment. Also enclosed is a Change of Correspondence Address. 2. Claim Fee Calculation X No additional claim fee is required. Amendment increases number of claims or multiple dependencies. **Additional Claim Fee Calculation** Fee Code Claims Extra Description Rate Fee Independent Claims 5 - 5 =\$42= \$ 0 2201 0 x0 x \$9= **Total Claims** 26 - 26 =\$ 0 2202 Total Fees Due .....\$ -0-3. Payment of Fees Enclosed is a check for the total fees due in the amount of X The Commissioner is authorized to charge any additional fees and to credit any

Edward J. Lynch

overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to

Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00101.

Registration No. 24,422

Duane Morris LLP One Market Spear Tower, Suite 2000 San Francisco, CA 94105 Direct Dial: (415) 371-2267

Facsimile: (415) 371-2201

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Examiner of Parent Application: the application of Burbank et al. M. Hindenburg For: **BREAST BIOPSY SYSTEM** AND METHODS Group Art Unit: 3736 Serial No.: 09/979,371 Filed: August 13, 2001 **TRANSMITTAL** Atty. Docket No.: R0367-00101 CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8 RECEIVED Mail Stop Non-Fee Amendment Commissioner for Patents SEP 1 7 2003 P.O. Box 1450 Alexandria, VA 22313-1450 TECHNOLOGY CENTER R3700 Dear Sir: 1.

Transmitted herewith for filing in the above-identified patent application is a Second Preliminary Amendment. Also enclosed is a Change of Correspondence Address.

Claim Fee Calculation 2.

> No additional claim fee is required. X

Amendment increases number of claims or multiple dependencies.

#### Additional Claim Fee Calculation

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	5 - 5 =	0 x	\$42=	\$ 0
Total Claims	2202	26 – 26 =	0 x	\$9=	\$ 0

Total Fees Due ......\$ -0-

3. Payment of Fees

Enclosed is a check for the total fees due in the amount of

The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00101.

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#### **PATENT**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of Fred H. Burbank et al.	) Examiner of Parent Application: ) M. Hindenburg
For: BREAST BIOPSY SYSTEM AND METHODS	) Group Art Unit: 3736 )
Serial No. 09/929,371	) )
Filed: August 13, 2001	) )
Docket. No.: R0367-00101	)
CERTIFICATE OF MAILUG PURSUANT  I hereby certify that this paper is being deposited in the United States Postal Service as	

## SECOND PRELIMINARY AMENDMENT

Mail Stop Non-Fee Amendments Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 RECEIVED

SEP 1 7 2003

TECHNOLOGY CENTER R3700

Dear Sir:

Please preliminarily amend the above application as follows:

### IN THE CLAIMS

Please amend claims 17, 18, 21, 23, 24, 25, 30, 40, 48 and 49 and add new claims 50-56. A list of the pending claims follows.

### PENDING CLAIMS

17. (Currently Amended) [The] A biopsy instrument as recited in Claim 5, wherein said instrument further comprises comprising an elongated shaft, a cutting

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